

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/833,607	04/13/2001	Peter Dam Nielsen	367.39878X00 3735		
20457	7590 11/05/2003	EXAMINER			
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889			PILLAI, NAMITHA		
			ART UNIT	PAPER NUMBER	
			2173		
			DATE MAILED: 11/05/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.		Applicant(s)				
•								
	Office Action Summary	09/833,607		NIELSEN ET AL.				
Office Action Summary		Examiner	·	Art Unit				
	The MAILING DATE of this communication and	Namitha Pillai	r sheet with the c	2173				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status								
1)[_							
2a)□	This action is FINAL . 2b) This action is non-final.							
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disposition of Claims								
•	4)⊠ Claim(s) <u>1-9</u> is/are pending in the application.							
	4a) Of the above claim(s) is/are withdrawn from consideration.							
5)	5) Claim(s) is/are allowed.							
	6)⊠ Claim(s) <u>1-9</u> is/are rejected.							
·	Claim(s) <u>1, 3, 5, 7 and 9</u> is/are objected to.							
•	,	r election require	ment.					
	on Papers The specification is objected to by the Examinar	-						
9)⊠ The specification is objected to by the Examiner. 10)⊠ The drawing(s) filed on 13 April 2001 is/are: a)⊠ accepted or b)□ objected to by the Examiner.								
10)	Applicant may not request that any objection to the	·						
11)[7]	The proposed drawing correction filed on		-	• •				
If approved, corrected drawings are required in reply to this Office action.								
12) The oath or declaration is objected to by the Examiner.								
Priority under 35 U.S.C. §§ 119 and 120								
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).								
a)[⊠ All b)☐ Some * c)☐ None of:							
	1.⊠ Certified copies of the priority documents have been received.							
	2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).								
* See the attached detailed Office action for a list of the certified copies not received.								
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).								
 a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 								
Attachment(s)								
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 4) Interview Summary (PTO-413) Paper No(s)								

Application/Control Number: 09/833,607 Page 2

Art Unit: 2173

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The full name of each inventor (family name and at least one given name together with any initial) has not been set forth.

Specification

2. The abstract of the disclosure is objected to because there is a reference to Figure 3 (line 15) that must be removed. Correction is required. See MPEP § 608.01(b).

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or

REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).

- "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.

Application/Control Number: 09/833,607 Page 3

Art Unit: 2173

(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).
- 3. The specification is objected to for not including the section heading "DETAILED DESCRIPTION OF THE INVENTION". Correction is required

Claim Objections

4. Claims 1, 3, 5, 7 and 9 objected to because of the following informalities: "continuos" is misspelled. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Regarding claims 1 and 5, the phrase "and/or" renders the claim indefinite because it is unclear whether the limitation(s) is one of a continuous length item *and* a wrapped length item or a continuous length item *or* a wrapped length item. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

Page 4

Application/Control Number: 09/833,607

Art Unit: 2173

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 6, 147, 670 (Rossmann), herein referred to as Rossmann.

Referring to claims 1 and 5, Rossmann discloses a method for displaying information on a display with elements, wherein an element having either a continuous length presenting a length which is equal to or greater than the size of the display or a wrapped length presenting a length which is less than the size of the display, further providing a user interface having a menu structure of items (column 1, lines 41-47 and column 2, lines 3-7). Rossmann discloses providing a menu structure with a selectable continuous length item and/or a wrapped length item and selecting the continuous length item or the wrapped length item in the menu structure of the user interface and displaying the information according to the selection made in the menu structure of the user interface, in order to allow the user to toggle between continuous length and wrapped length (column 5, lines 29-36).

Referring to claims 2 and 6, Rossmann discloses the information is displayed as alphanumerical signs (Figure 1).

Referring to claims 3 and 7, Rossmann discloses that the element having continuous length is scrolled over the display (column 3, lines 11-18).

Referring to claims 4 and 8, Rossmann discloses the element having a wrapped length, adopted to fit the size of the display by splitting the element into several parts each part fit in the size of the display and feeding the parts in a vertical direction over the display, each time the

Application/Control Number: 09/833,607

Art Unit: 2173

length of the element is greater than the width of the display (Figure 1 and column 1, lines 41-47).

Referring to claim 9, Rossmann discloses a terminal for displaying information on a display with elements, wherein an element is provided with a continuous length presenting a length which is equal to or greater than the size of the display or a wrapped length presenting a length which is less than the size of the display with a display for displaying the information (column 1, lines 41-47 and column 2, lines 3-7). Rossmann discloses setting a first type of elements to be displayed as a continuous length item and a second type of element to be displayed as a wrapped length item, for identifying the first type of element when acting in a text to be displayed and for displaying the first and second type of elements according to their setting (column 5, lines 29-36).

Conclusion

7. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach the method for displaying information that has elements of continuous and wrapped length formats.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the

Page 5

Art Unit: 2173

document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai Assistant Examiner Art Unit 2173 October 29, 2003

> JOHN CABECA SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2100